

REMARKS

Claims 2-6, 8-12, 15 and 36-83 are pending and claims 36-83 are withdrawn from consideration. By this Amendment, claim 15 is amended and claims 1, 7 and 14 are canceled without prejudice to or disclaimer of the subject matter contained therein. Claims 13 and 16-35 were previously canceled. Reconsideration in view of the amendments and following remarks is respectfully requested.

I. CONSTRUCTIVE ELECTION REQUIREMENT

The Office Action has withdrawn claims 36-83 from consideration as being directed to a non-elected invention in a constructive requirement. The constructive election requirement is respectfully traversed.

In particular, this application is a national phase of a PCT application. Thus, PCT rules are applicable. It is respectfully submitted that claims 36-83 should not be withdrawn from consideration because there is unity of invention between claims 2-6, 8-12 and 15, and claims 36-83. For example, the MPEP under "Administrative Instructions Under The PCT" at AI-69 gives as an example, example 8 that there is unity of invention between "plug characterized by feature A" and "socket characterized by corresponding feature A." As an example, in the present application, claim 2 recites a composition including an organic electroluminescent (EL) material and a solvent comprising at least one benzene derivative having 1 or more substituents, and these substituents having 3 or more carbon atoms in total, wherein the boiling point of the benzene derivative is 200°C or higher. Claim 37 recites a composition including a functional material from a group consisting of a silica glass precursor, a color filter material, a conductive material and a semiconductor material and a solvent comprising at least one benzene derivative having 1 or more substituents, and these substituents having 3 or more carbon atoms in total, wherein the boiling point of the benzene derivative is 200°C or higher. Accordingly, there is unity of invention. Therefore, withdrawal of constructive election requirement is respectfully requested.

II. OBJECTION TO THE CLAIMS

The Office Action objects to claim 15 as being indefinite. Claims 15 is amended to obviate the objection. Accordingly, withdrawal of the rejection to the claims is respectfully requested.

III. REJECTION UNDER 35 U.S.C. §112, SECOND PARAGRAPH

The Office Action rejects claim 14 under 35 U.S.C. §112, second paragraph as being indefinite. Claim 14 is canceled, and thus, the rejection under 35 U.S.C. §112, second paragraph is now moot. Withdrawal of the rejection under 35 U.S.C. §112, second paragraph is respectfully requested.

IV. THE CLAIMS DEFINE PATENTABLE SUBJECT MATTER

The Office Action rejects claims 1, 7 and 14 under 35 U.S.C. §102(b) as being anticipated by Ohnishi (U.S. Patent No. 6,207,301 B1). Claims 1, 7 and 14 are canceled, and thus, the rejection with respect to these claims is now moot. Accordingly, withdrawal of the rejection under 35 U.S.C. §102(b) is respectfully requested.

The undersigned appreciates the Examiner's indication that claims 2-6 and 8-12 are allowable. Claims 15 and 36-83 are believed to be also allowable.

V. CONCLUSION

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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